



## Senate

General Assembly

**File No. 225**

February Session, 2018

Senate Bill No. 433

*Senate, April 4, 2018*

The Committee on General Law reported through SEN. LEONE of the 27th Dist. and SEN. WITKOS of the 8th Dist., Chairpersons of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING SANCTIONS FOR THE SALE OF  
FRAUDULENT EVENT TICKETS VIA THE INTERNET.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-289d of the 2018 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2018*):

4 (a) (1) No person shall employ an entertainment event ticketing  
5 sales system that fails to give the purchaser an option to purchase  
6 tickets that the purchaser may transfer to any party, at any price and at  
7 any time, without additional fees and without the consent of the  
8 person employing such ticketing system. For purposes of this section,  
9 "entertainment event" includes, but is not limited to, a sporting event, a  
10 concert or a theatrical or operatic performance, but does not include a  
11 movie.

12 (2) Notwithstanding the provisions of subdivision (1) of this  
13 subsection, a person employing such a ticketing sales system may  
14 employ a paperless ticketing system that does not allow for

15 independent transferability of tickets, provided the purchaser of such  
16 tickets is offered the option, at the time of initial sale, to purchase the  
17 same tickets in another form that is transferrable, independent of such  
18 a ticketing sales system, including, but not limited to, paper tickets or  
19 e-tickets and without additional fees, regardless of the form or  
20 transferability of such tickets.

21 (b) No person shall deny admission to an entertainment event to a  
22 ticket holder who possesses a resold ticket to such entertainment event  
23 based solely on the grounds that such ticket has been resold.

24 (c) A person employing an entertainment event ticketing sales  
25 system shall provide written secondary market disclosure information  
26 to potential ticket purchasers, if applicable.

27 (d) The provisions of this section shall not apply to: (1) Tickets sold  
28 or offered for sale to students of a public institution of higher  
29 education for entertainment events held by or on behalf of such  
30 institution, or (2) concert or theater venues with seating capacities of  
31 not more than three thousand five hundred persons, provided a duly  
32 authorized representative of such concert theater or venue has  
33 provided written notice to the Commissioner of Consumer Protection  
34 of such theater or venue's intent not to comply with the provisions of  
35 this section.

36 (e) No person shall knowingly sell a counterfeit or nonuseable ticket  
37 to an entertainment event via the Internet.

38 [(e)] (f) A violation of any provision of this section shall constitute  
39 an unfair or deceptive act or practice in the conduct of trade or  
40 commerce pursuant to subsection (a) of section 42-110b.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2018	53-289d
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**GL** Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill adds a section to the fraudulent event ticket statutes which fall under the Connecticut Unfair Trade Practice Act and results in no fiscal impact to the state because the Department of Consumer Protection is already processing similar types of violations.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 433*****AN ACT CONCERNING SANCTIONS FOR THE SALE OF FRAUDULENT EVENT TICKETS VIA THE INTERNET.*****SUMMARY**

This bill prohibits anyone from knowingly selling via the Internet a counterfeit or nonusable ticket to an entertainment event. "Entertainment events" include sporting events, concerts, and theatrical or operatic performances, but not movies.

Under the bill, violators are deemed to have committed an unfair or deceptive trade practice (CUTPA) violation.

EFFECTIVE DATE: July 1, 2018

**BACKGROUND*****Connecticut Unfair Trade Practices Act (CUTPA)***

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable

Yea 17      Nay 0      (03/20/2018)